

21
13 Feb '04

Parent Application
Dewis et al.
Serial No.: ~~10/265,861~~ 10/645,772
Filed: 7 October 2002
Page 4

REMARKS

This Preliminary Amendment pursuant to 37 C.F.R. Section 1.115 is being filed concurrently with applicants' Divisional Application Filing Request pursuant to 37 C.F.R. Section 1.53(B). Applicants' present application serial no. 10/265,861, filed 7 October 2002, is a continuation of parent application serial no. 10/007,095, filed 4 December 2001.

The Examiner required restriction of claims 1-19 in parent application serial no. 10/007,095, filed 4 December 2001, in the Examiner's Action dated 26 September 2002. Specifically, the Examiner required restriction to one of the following groups.

I. Claims 1-12, drawn to methods for flavoring an ingestible composition and ingestible compositions, classified in class 426.

II. Claims 14-18, drawn to methods of conferring, enhancing, improving or modifying, the odor properties of a perfuming composition and a perfuming composition classified in class 512.

III. Claims 13 and 19, drawn to ethyl 3-mercaptoputyrate and a method of making ethyl 3-mercaptoputyrate, classified in class 560, subclass 147.

In the parent/continuation application, applicants elected to prosecute the claims of Group 1, claims 1-12. In this divisional application, applicant has elected to prosecute the claims of Group 2, claims 14-18, and has withdrawn claims 1-13 and 19. Accordingly, claims 14-18 are presently being examined.

These amendments to the claims are fully supported in the specification as originally filed, and thus no new matter is introduced by these amendments in accord with 35 U.S.C. Section 132. Accordingly, applicant requests entry of these

Parent Application

Dewis et al.

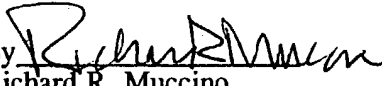
Serial No.: ~~10/265,861~~ 10/645,772

Filed: 7 October 2002

Page 5

amendments. In view of the following Amendment, applicant respectfully requests that the Examiner pass the above-identified application to issue.

Applicant's attorney authorizes the Examiner to charge Deposit Account 13-4822 if there are any additional charges in connection with this matter.

By 
Richard R. Muccino
Reg. No. 32,538
Attorney for Applicant(s)

Direct communications to:
Richard R. Muccino
758 Springfield Avenue
Summit, New Jersey 07901
voice (908) 273-4988
fax (908) 273-4679